

STATE OF NEW JERSEY  
STATE ETHICS COMMISSION  
Post Office Box 082  
Trenton, New Jersey 08625-0082  
(609) 292-1892

STATE OF NEW JERSEY  
STATE ETHICS COMMISSION  
COMMISSION CASE NO. 27-16

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**IN THE MATTER OF**  
**ALEJANDRO MARTINEZ,**  
**Investigator,**  
**New Jersey Higher Education**  
**Student Assistance Authority**

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**Administrative Action**  
**CONSENT ORDER**

WHEREAS, the State Ethics Commission ("Commission") is authorized to initiate, receive, investigate, review and hear complaints regarding violations of the New Jersey Conflicts of Interest Law, *N.J.S.A. 52:13D-12 et seq.* ("Conflicts Law"), applicable rules of the Commission, *N.J.A.C. 19:61-1.1 et seq.*, the Uniform Ethics Code, and any agency code of ethics, by any State officer or employee or special State officer or employee; and

WHEREAS, this matter was brought before the Commission by a complaint filed with the Commission; and

WHEREAS, the Commission conducted an investigation of all matters and issues raised by the complaint; and

WHEREAS, as a result of the investigation, the Commission and Alejandro Martinez ("Martinez") desire to enter into a final and complete resolution of all the matters and issues raised thereby;

IT IS THEREFORE agreed by the parties as follows:

1. Martinez has been employed with the Higher Education Student Assistance Authority ("HESAA") since March 2009.

2. Martinez submitted an Outside Activity Questionnaire ("OAQ") on April 20, 2015, seeking approval to operate Ma and Pa's Tex-Mex BBQ ("BBQ"), a food truck business operated by Martinez.

3. HESAA approved the outside business activity. The approved OAQ expressly provided that Martinez was prohibited from using State resources for his outside activities.

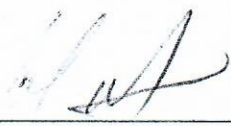
4. Martinez stored at least fifty-four (54) files containing Microsoft Word documents, .pdf documents and .jpg images relating to his outside business on his State computer. Some of these files were also created, accessed and/or modified during State working hours.

5. It is the Commission's position that Martinez violated sections 23(e)(3) and (e)(7) of the Conflicts Law by using State time and resources, including his State computer, to engage in outside business activities.

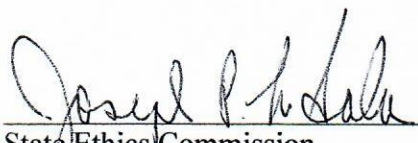
6. Martinez acknowledges that his use of State time and resources in connection with his outside activities violated section 23(e)(3) of the Conflicts Law and created the impression that he engaged in conduct violative of the public trust, in violation of section 23(e)(7) of the Conflicts Law.

7. In consideration of the above, Martinez agrees to pay a civil penalty in the amount of \$500.00. The penalty shall be paid in five (5) installments of \$100.00, to be paid on or before the first day of each month, commencing on February 1, 2017.

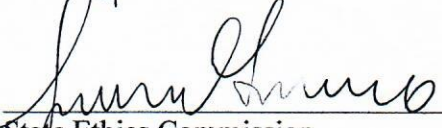
8. The parties agree to enter into this Consent Order in settlement of all matters and issues that are involved herein.

  
\_\_\_\_\_  
Alejandro Martinez

Dated: 1/17/17

  
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State Ethics Commission  
By: Andrew S. Berns, Chair  
Joseph P. LaSala

Dated:

  
\_\_\_\_\_  
State Ethics Commission  
By: Susana E. Guerrero, Executive Director

Dated: 2/15/17